

April 18, 2006

**MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL**

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular session at 6:30 p.m. on Tuesday, April 18, 2006 in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Guyton, Mauno, McIntyre, Nowatka, Scotto, Witkowsky, and Mayor Walker.

Absent: None.

Also Present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers, and other staff representatives.

Agenda Item 17 was considered out of order at this time.

17. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 17A) Conference with Legal Counsel – Existing Litigation, pursuant to California Government Code Section 54956.9(a).

The Council reconvened in Council Chambers at 7:00 p.m. For formal action taken in closed session, see page 2 (Council Committee Meetings and Announcements).

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Guyton.

Councilmember Witkowsky gave the non-sectarian invocation.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Scotto moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

MOTION: Councilmember Scotto moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Deputy City Attorney Sullivan reported that the City Council, in closed session, voted unanimously to authorize a settlement in the amount of \$149,000 in the case of Racine v. the City of Torrance LASC Case No. NC041434.

Mayor Walker thanked Councilmember Witkowsky for serving as Mayor Pro Tem for the past six months and announced that Councilmember Nowatka would be serving as Mayor Pro Tem for the next six months effective April 10.

6. COMMUNITY MATTERS

6A. WORKFORCE INVESTMENT NETWORK BOARD MEMBERSHIP

Recommendation

Recommendation of the **W/N Policy Board** that City Council appoint and officially swear in David Zamudio as a member of the Carson/Lomita/Torrance Workforce Investment Network Board.

MOTION: Councilmember Nowatka moved to concur with the Board's recommendation. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

Councilmember Nowatka briefly reviewed Mr. Zamudio's qualifications and welcomed him to the *WiN* Policy Board.

City Clerk Herbers administered the oath of office.

6B. 2005 WASTE REDUCTION AWARDS PROGRAM

Recommendation

Recommendation of the **Public Works Director** that City Council present Certificates of Recognition to Torrance businesses that received the 2005 Waste Reduction Awards Program (WRAP), to honor them for their outstanding waste reduction and recycling efforts.

Certificates of Recognition were presented to: American Honda, Ball Metal Beverage Container, Toyota Motor Sales, Vons #2322, Walser's, and Wild Birds Unlimited. Honorees unable to attend: Hitachi, Southern California Edison, Virco Manufacturing Corporation, Vons #3517, and Whole Foods.

7. CONSENT CALENDAR

7A. APPROVAL OF MINUTES – MARCH 7, 2006

7B. CONSENT TO SUB-LEASE 24751 CRENSHAW BOULEVARD

Recommendation

Recommendation of the **Land Management Team** that City Council consent to a sub-lease of City-owned property Master Leased to William J. Adkins, trustee of the Adkins Family Trust established 1991 (Lessee) and Raamco Motors Inc., a California Corporation (Sub-Lessee) for a portion of the leasehold located at 24751 Crenshaw Boulevard.

7C. LEASE AMENDMENT RE 2837 PACIFIC COAST HIGHWAY

Recommendation

Recommendation of the **City Manager** that City Council consider adoption of a 5th Amendment to Lease for City owned property located at 2837 Pacific Coast Highway.

If City Council concurs then the **City Manager** further recommends that City Council authorize the Mayor to execute and the City Clerk to attest to the 5th Amendment to Lease by and between the City of Torrance, a municipal corporation ("Lessor"), and Town & Country Investors, LLC, a California limited liability company ("Lessee").

7D. PURCHASE ORDER RE PARAMEDIC RESCUE TRUCK BODIES

Recommendation

Recommendation of the **General Services Director** and the **Fire Chief** that City Council award a purchase order to Phenix Enterprises, Inc. of Pomona, CA, in the amount of \$79,788.92, for the purchase and installation of two (2) Paramedic Rescue Truck Bodies.

7E. AUTHORIZATION RE SALE OF SURPLUS VEHICLES

Recommendation

Recommendation of the **General Services Director** that City Council authorize Ken Porter Auctions, of Torrance, CA to facilitate the sale of fourteen (14) surplus/obsolete vehicles.

7F. PURCHASE AGREEMENT WITH G.P. RESOURCES, INC. RE ANNUAL SUPPLY OF LUBRICATING OILS

Recommendation

Recommendation of the **General Services Director** and the **Transit Director** that City Council authorize a purchasing agreement with G.P. Resources, Inc., dba General Petroleum of Long Beach, CA, in an amount not to exceed \$90,600 including sales tax and applicable fees, to furnish Lubricating Oils on an "as needed" basis for a period of one year. The term of service will begin April 20, 2006, ending April 19, 2007.

7G. PURCHASE ORDER RE 2006 FORD CAB/CHASSIS WITH DUMP TRUCK BODIES

Recommendation

Recommendation of the **General Services Director** that City Council authorize a purchase order to Raceway Ford of Riverside, CA, in the amount of \$57,438.97 including sales tax and applicable tire fees, to furnish two (2) 2006 Ford F350 XL Cab and Chassis with attached One-Ton Dump Truck Bodies as a special opportunity purchase.

7H. APPROPRIATIONS RE SAFE ROUTE TO SCHOOL PROGRAM

Recommendation

Recommendation of the **Public Works Director** that City Council:

- 1) Appropriate State of California grant funds in the amount of \$227,700 to the Torrance Safe Route to School Program, S-33; and
- 2) Appropriate Gas Tax funds in the amount of \$25,300 to the Torrance Safe Route to School Program, S-33.

7I. CONTRACTS RE REPAIR/ PAINTING OF CITY PARK RESTROOMS

Recommendation

Recommendation of the **General Services Director** City Council:

- 1) Award a contract to DCL Construction for \$27,000 with a 5% contingency of \$1,350 for repairs to various City park restrooms (FEAP #461);
- 2) Award a contract to Mason Brothers Painting for \$10,170 with a 5% contingency of \$508 for painting of various City park restrooms (FEAP #461);
- 3) Approve a 10% project management fee of \$3,717; and
- 4) Appropriate \$42,745 from the Capital Maintenance Project Fund.

7J. PUBLIC WORKS AGREEMENT WITH ZONDIROS CORPORATION RE SEWER REHABILITATION/ REALIGNMENT

Recommendation

Recommendation of the **Public Works Director** that City Council:

- 1) Approve the plans and specifications for the Construction of I-61 Sewer Rehabilitation - 230th Place and Kent Avenue Sewer Realignment (Phase I) and Sewer Point Repairs - Various Locations (Phase II) (B2006-11) on file in the City Clerk's Office;
- 2) Award a public works agreement to Zondiros Corporation in the amount of \$332,670 and authorize a 10% contingency in the amount of \$33,267 for this project; and
- 3) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

MOTION: Councilmember Mauno moved for the approval of Consent Calendar Items 7A through 7J. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

11. ADMINISTRATIVE MATTERS

11A. AUDIT OF UTILITY USERS' TAXES BY TELECOMMUNICATION COMPANIES

Recommendation

Recommendation of the **Finance Director** that City Council authorize audits of various telecommunication companies doing business in Torrance and the issuance of subpoenas requiring non-complying companies to produce books and/or other documents required in the audit of utility users' tax as provided by Resolution 2004-118 authorized by the City Council on September 21, 2004.

Audit Manager Currim reported that the Audit Division was in the process of conducting an audit of tax receipts from telecommunications companies operating in Torrance and some of them have requested that subpoenas be issued before releasing the required information to protect against consumer complaints.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

11B. SALE/ QUITCLAIM OF EXCESS CITY PROPERTY

Recommendation

Recommendation of the **Community Development Director** and the **City Manager's Office** that City Council:

- 1) Accept \$17,888 for the sale and quitclaim of a portion of excess city property on the east side of 5104 Zakon Road.
- 2) Approve and adopt a Resolution summarily vacating a sewer, drainage and public utility easement on this portion of City property.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

RESOLUTION NO. 2006-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ORDERING THE SUMMARY VACATION OF A SEWER, DRAINAGE, AND PUBLIC UTILITY EASEMENT ON THE SOUTH SIDE OF ZAKON ROAD OVER A PORTION OF LOT 27, BLOCK 3, TRACT 15397 IN THE CITY OF TORRANCE

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2006-32. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

11C. APPLICATION FOR RUBBERIZED ASPHALT CONCRETE INCENTIVE GRANT PROGRAM

Recommendation

Recommendation of the **Public Works Director** that City Council:

- 1) Adopt a Resolution authorizing the Public Works Director, or his designee, to submit to the California Integrated Waste Management Board an application for the targeted Rubberized Asphalt Concrete (RAC) Incentive Grant Program requesting \$150,000 for use of RAC for the Sepulveda Boulevard Rehabilitation (Hawthorne Boulevard to west City limit), T-48;
- 2) Authorize the Mayor to execute and the City Clerk to attest to said resolution; and
- 3) Authorize, upon approval of the grant, the appropriation of grant funds in an amount up to \$150,000 to the Sepulveda Boulevard Rehabilitation (Hawthorne Boulevard to west City limit), T-48.

Project Manager Bilezerian reported that the California Integrated Waste Management Board administers a grant program designed to promote the use of Rubberized Asphalt Concrete (RAC); that a maximum of \$150,000 is available for qualifying agencies; and that the funds would be used for the rehabilitation of Sepulveda Boulevard between Hawthorne Boulevard and the western City limit. He noted that RAC is environment-friendly as it contains materials derived from waste tires and it provides a smoother, quieter ride for motorists.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Guyton and passed by unanimous roll call vote.

RESOLUTION NO. 2006-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR THE TARGETED RUBBERIZED ASPHALT CONCRETE INCENTIVE GRANT PROGRAM

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2006-33. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

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The Council met as the Redevelopment Agency from 7:19 p.m. to 7:20 p.m.

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16. ORAL COMMUNICATIONS

16A. City Manager Jackson asked that the City Council consider canceling the May 2, 2006 Council meeting because there are only a few items on the agenda, all of which could be deferred to the May 9 meeting.

16B. City Clerk Herbers announced that the Los Angeles County Registrar-Recorder/County Clerk was seeking poll workers for the June 6 election and that information could be found at 1.800.815.2666 Option 7.

16C. City Clerk Herbers reminded the public that the first Candidate Forum would be held on Wednesday, April 19, at 7:00 p.m. at the George Nakano Theatre sponsored by the League of Women Voters, AAUW, and the Torrance Council of PTAs.

16D. Councilmember Guyton announced the Switzer Learning Center's 8th Annual South Bay Woman of the Year awards luncheon on Friday, April 21, noting that Lisa Applegate McGinty, Marika Bergsund, Peggy Curry, Gene Drevno and Hope Witkowsky will be honored.

16E. Councilmember Scotto reported that new rubbish receptacles at bus stops were accumulating water, which could be a breeding place for mosquitoes, and asked that staff look into this matter.

16F. Councilmember Witkowsky wanted to make clear that she had nothing to do with a political postcard that was mailed out this week and had not authorized the use of her name.

16G. Frank Uribe, representing Verizon, expressed disappointment that the Council adopted a resolution to oppose AB2987 the previous week as the item had not appeared on the City's website. He discussed the reasons why he felt the bill would be beneficial for residents.

16H. Aurelia Freeman, AT & T, also respectfully disagreed with the City Council's action, citing reasons for passage of the legislation.

16I. Cable and Community Relations Manager Smith advised that staff supports the resolution as written, noting concerns about local ability to override the emergency alert system.

17. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

18. ADJOURNMENT

At 7:32 p.m., the meeting was adjourned to Tuesday, April 25, 2006 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC

City Clerk of the City of Torrance

Approved on June 13, 2006